

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District – Makthal (Mandal) Parevula (Village) – O.P.No.237/2000 & 238/2000 - Sanction of decretal charges of **Rs.4,12,597/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 488

DATE:24.07.2010

Read:

- 1) From the Special Collector (LA) Bheema Project, Mahabubnagar District
Lr.No.E2/PJP/317/2009, dt:24/06/2009.
- 2) From the Secy.to CCLA, AP, Hyd Lr.No.SRP4/573/09, Dated:24.10.09.

O R D E R:

The Secy.to CCLA, AP, Hyderabad has informed that the Special Collector, Land Acquisition, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.237/2000 & 238/2000 pertaining to Parevula (V) Makthal (M) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired the lands to an extent of Acs.86.19 gts in the limits of Parevula (V) Makthal (M) by fixing the market value @Rs.27,000/- per acre vide Award No.6/1998, dt:29.12.1998 for the purpose of submergence under PJP. Aggrieved with the market value awarded by the LAO, the awardees have filed petition U/s.18 (1) of the L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Lower Court, the Sr.Civil Judge, Narayanpet had delivered the judgment on 07.11.2006 by enhancing the market value per acre from Rs.27,000/- to Rs.84,000/- for Wet lands. Aggrieved by the judgment of Senior Civil Judge, Gadwal, enhancing rate of market value, the SDC, LA Unit, PJP, Gadwal has filed Appeals before the Hon'ble High Court of A.P, Hyderabad. The Hon'ble H.C of A.P, Hyd has granted Interim Stay orders on 08.02.2007 & 23.02.2007 and directed to deposit the half of the decretal charges. Accordingly, an amount of Rs.3,05,978/- was sanctioned and the same was deposited in the Sr.Civil Judge, Narayanpet on 17.11.2007. Finally, the Hon'ble H.C of A.P, Hyd has dismissed the appeals filed by the SDC, LA Unit, PJP, Gadwal by confirming the judgment of the Lower Court on 06.07.2008 in A.S.No.41/2007 & 81/2007.

- 2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.4,12,597/- (Rupees Four lakhs twelve thousand five hundred and ninety seven only)** in respect of O.P.No.237/2000 & 238/2000 pertaining to Parevula (V) Makthal (M) of Mahabubnagar District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) above shall be debitible to following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – S.H (26) – Dams and Appurtenant works - 530 – Major works 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the proposal requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O.No.2925/F2(2)/2009-1, dated:01.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Special Collector, LA, Bheema Project, Mahabubnagar.
The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyderabad.
The SDC, LA, PJP, Gadwal, Mahabubnagar.
The Director of Works Accounts, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.15945/LA.III(A2)/2009
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER